

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

2009 DEC 15 PM 3:18

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY  DEPUTY CLERK

UNITED STATES OF AMERICA,
Plaintiff

VS.

MARK EDWARD KEDROWSKI
Defendant

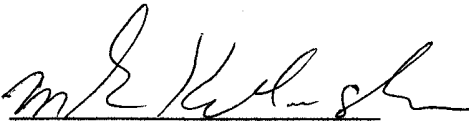
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SA-06-CR-00291-(8)OLG

PRO SE MOTION TO PROCEED *IN FORMA PAUPERIS*

Now comes, MARK EDWARD KEDROWSKI, Petitioner, in the above entitled case; request permission to proceed *in forma papuperis*, I state that because of my poverty I am unable to pay the costs of said proceedings or give security therefore; that I believe I am entitled to relief.

Respectfully submitted,


MARK EDWARD KEDROWSKI
Pro Se

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

UNITED STATES OF AMERICA,
Plaintiff

VS.

MARK E. KEDROWSKI,
Defendant

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SA-06-CR-00291-(8)OLG

**AFFIDAVIT ACCOMPANYING MOTION FOR
PERMISSION TO APPEAL IN FORMA PAUPERIS**

Affidavit in Support of Motion:

I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)

My issues on appeal are: 1. Improper exclusion of rehabilitation testimony regarding witness Joan Pedrotti, 2. Improper exclusion of impeachment evidence regarding witness Lisa Ramos, 3. Denial of objection to jury charge regarding 'willful ignorance' and 'misrepresentation of material fact'. 4. Insufficiency of the evidence, and 5. Denial of objections to sentencing.

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise. \-

Income source:

Questions	Answers (You)	Spouse
Employment	\$1,500.00 (from Jan. 01, 2009 to Dec 11, 2009)	N/A
Self-employment	N/A	N/A
Income from Real Property (such as rental income)	N/A	N/A
Interest and dividends	None	N/A
Gifts	None	N/A
Alimony	None	N/A
Child support	None	N/A
Retirement (such as social security, pensions, annuities, insurance)	None	N/A

Disability (such as social security, insurance payments)	None	N/A
Unemployment payments	None	N/A
Public-assistance (such as welfare)	None	N/A
Other (specify)	None	N/A
Total monthly income	\$1,500.00	N/A

2. List your employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.

Employer	Address	Dates of Employment	Gross monthly pay
Alamo City Public Safety	53 Kinder Dr. San Antonio, TX 78212	March 15, 2009 to September 10, 2009	\$1,500.00

3. List your spouse's employment history, most recent employer first. (Gross monthly pay is before taxes or other deductions.

Employer	Address	Dates of Employment	Gross monthly pay
N/A	N/A	N/A	N/A

4. How much cash do you and your spouse have? \$ 700.
Below, state any money you or spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of account	Amount you have	Amount your spouse has
Security Service FCU	Personal	\$ 700	\$ N/A
None	N/A	\$ None	\$ N/A

If you are a prisoner, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement for each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary house furnishings.

Home (Value)	Other real estate (Value)	Motor Vehicle #1 (Value)
None	None	Make & Year: 2002 Ford
None	None	Model: F150
None	None	Registration #: 1FTRX17202NA86366

Motor Vehicle #2 (Value)	Motor Vehicle #3 (Value)
Make & Year: None	Make & Year: None
Model: None	Model: None
Registration #: None	Registration #: None

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
N/A	N/A	N/A
N/A	N/A	N/A
N/A	N/A	N/A

7. State the persons who rely on you or your spouse for support.

Name	Relationship	Age
Amanda Kedrowski	Daughter	15
Katie Kedrowski	Daughter	13
N/A	N/A	N/A

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, bi-weekly, quarterly, semiannually, or annually to show the monthly rate.

Questions	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	420	N/A
Are real-estate taxes included	Yes	No

Is property insurance included	Yes	No
Utilities (electricity, heating fuel, water, sewer, and Telephone)	350	N/A
Home maintenance (repairs & upkeep)	N/A	N/A
Food	350	N/A
Clothing	30	N/A
Laundry and dry-cleaning	25	N/A
Medical and dental expenses		N/A
Transportation (not including motor vehicle payments)	200	N/A
Recreation, entertainment, newspapers, magazines, etc.	50	N/A
Insurance (not deducted from wages or included in Mortgage payments)	N/A	N/A
Homeowners' or renter's	34	N/A
Life	65	N/A
Health	N/A	N/A
Motor Vehicle	115	N/A
Taxes (not deducted from wages or included in Mortgage payments) (specify):	N/A	N/A
Installment payments	N/A	N/A
Motor vehicle	N/A	N/A
Credit Card: None Name: None Name: None Name: None	Amount owed N/A	N/A
Alimony, maintenance, and support paid to others	950	N/A
Regular expenses for operation of business, profession, or farm (attach detailed statement)	N/A	N/A
Other	N/A	N/A
Total monthly expenses	2589	N/A

10. Have you paid -- or will you be paying -- an attorney any money for services in connection with this case, including the completion of this form? Yes _____ No X_____

If yes, how much? \$ _____

If yes, state the attorney's name, address, and telephone number:

None

None

None

11. Have you paid – or will you be paying – anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form?

Yes _____ No X _____

If yes, how much? \$ None

If yes, state the person's name, address, and telephone number:

None

None

None

12. Provide any other information that will help explain why you cannot pay for the docket fees for your appeal.

I have not been employed full time since I was arrested on February 2009. I have not been able to find a job because my case was pending. I have been unemployed and I am currently trying to find employment. My monthly income is less than what my monthly obligations are.

13. State the address of your legal residence:


12770 Bandera Rd #1327

Helotes, TX 78023

Your daytime phone number (210) 215-9269

Your age: 39 Your years of schooling: 13

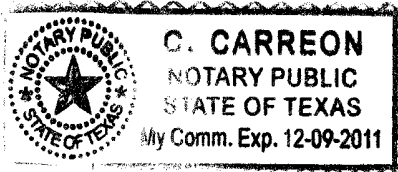
Your social security number: 451-39-0427

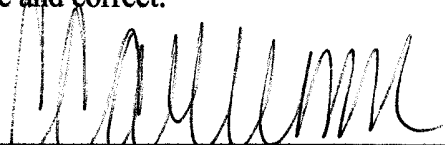

Affiant

State of Texas §

County of Bexar §

Before me, a notary public, on this day personally appeared Mark E. Kedrowski, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statemetns therein contained are true and correct.




Notary Public

My commission expires: 12/09/2011